

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

XIAO FEI XUE,

Plaintiff,

v.

ALEJANDRO MAYORKAS,

Defendant.

Case No. 1:24-cv-01043-JLT-SAB

ORDER GRANTING STIPULATION FOR
EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING

(ECF No. 5)

On September 2, 2024, Plaintiff Xiao Fei Xue initiated this immigration action against Defendant Alejandro Mayorkas, claiming that U.S. Citizenship and Immigration Services (“USCIS”) has unreasonably delayed scheduling an interview on a pending asylum application. (ECF No. 1.) An initial scheduling conference is currently scheduled for January 9, 2025. (ECF No. 3.)

On October 29, 2024, the parties filed a stipulated request for an extension of time for Defendant to respond to the complaint. (ECF No. 5.) The parties proffer that USCIS has scheduled Plaintiff’s asylum interview for February 24, 2025, and the parties anticipate that this action will be rendered moot upon the successful completion of the interview. Therefore, the parties request that Defendant’s deadline to file an answer or otherwise respond to the complaint be extended to June 24, 2025, and that other deadlines be similarly extended.

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Accordingly, pursuant to the stipulation of the parties, IT IS HEREBY ORDERED that:

1. Defendant shall have through **June 24, 2025**, to answer or otherwise respond to the complaint;
2. The scheduling conference set for January 9, 2025, is CONTINUED to **July 29, 2025, at 1:30 p.m.**, in Courtroom 9; and
3. The parties shall file a joint scheduling report **seven (7) days** prior to the continued scheduling conference date.

IT IS SO ORDERED.

Dated: **October 29, 2024**


UNITED STATES MAGISTRATE JUDGE